THE HONOURABLE SRI JUSTICE GOPALAKRISHNA TAMADA

W.P. No.32277 of 1997

ORDER:

The instant writ petition has been filed seeking writ of *Mandamus* declaring the action of the respondents in not releasing even the admitted amount of Rs.6.02 lakhs due to the petitioner under construction works awarded to the petitioner through Lr.Ref.Nos.105300/NV/5312 and 105300/NV/5313 dated 20-10-1988 and Lr.Ref.Nos.105300/NV/6138 dated 30-01-1990 by the 2nd respondent as illegal, arbitrary etc.

When the matter has been taken up for hearing, Mr. V.V.L.N. Sarma, learned counsel appearing for the petitioner submitted that the matter is referred to an arbitrator.

Having regard to the said fact, this Court is of the view that the cause in this writ petition does not survive as it is for the arbitrator to decide the matter.

Accordingly, the Writ Petition is dismissed. No order as to costs.

JUSTICE GOPALAKRISHNA TAMADA

Date: 12-02-2007
LSK